

CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE
MEMPHIS CHARTER COMMISSION MEETING
February 7, 2008

CALL TO ORDER: Commissioner Lowery called the meeting to order at 3:00 p.m. The following members of the Commission, constituting a quorum, were present: Willie Brooks, George Brown Jr., Marsha Campbell, Sylvia Cox, Janis Fullilove, Myron Lowery and Sharon Webb.

Others in attendance included: Elbert Jefferson Jr., City Attorney; Ricky E. Wilkins, The Law Offices of Ricky E. Wilkins; Steve Townsdin, City of Memphis Senior Assistant City Attorney; among others.

APPROVAL OF MINUTES: Chairman Lowery noted that copies of the minutes from the Commission meeting of January 17, 2008 had been circulated prior to the meeting and asked if there were any changes or corrections. With no changes, the minutes were approved as presented.

OPENING DISCUSSION: Via telephone, Steve Lobertini with MTAS noted that the clean-up effort with the City of Memphis Charter is going well. He stated the second installment which includes all of the Home Rule Amendments affected by the (POP) Charter should be submitted within three weeks. He further stated that he is on target to complete the work by May 2008.

DISCUSSION AND ACTION

TERM LIMITS: Commissioner Fullilove made a motion to discuss term limits and then stated neither she nor her constituents are in favor of term limits. She stated that her constituency believes that term limits have nothing to do with the citizens of Memphis but about people that are trying to control our city because of African American leadership. Several Commissioners agreed that term limits have been raised at almost every public hearing held by the Charter Commission and stated they felt it is the Commission's responsibility to honor the public request to vote on term limits.

After an extensive discussion concerning term limits, Commissioner Brown made a motion that all City Council positions as well as the Mayor's office be limited to two terms. The vote was seconded by Commissioner Brooks.

The Chairman called for the vote and the voting was as follows:

Willie Brooks,	Aye
George Brown Jr.	Aye
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Nay

Myron Lowery
Sharon Webb

Aye
Nay

With (5) Ayes and (2) Nay's the motion allowing term limits to be on the ballot in August or November 2008 was approved.

STAGGERED TERMS: Commissioner Fullilove asked for clarity on staggered terms. Commissioner Brown stated staggered terms for City Council members will allow a turnover of some Council members every two years. He stated it is not a good idea for all Council members to depart at one time. He further explained staggered terms allow continuity for new members to be oriented by previously serving Council members. In his closing remarks, he requested that Attorney Ricky Wilkins explore other municipalities' practices on staggered terms and report his findings to the Commission.

Chairman Lowery noted that he will provide the Commissioners with information from the National League of Cities concerning staggered terms within the following week.

Commissioner Fullilove continued to express her concerns about term limits and asked the Commissioners not to make any of the issues coming before the Commission personal issues.

Commissioner Webb noted that the Commission's vote was not the final decision on term limits and if the people in the City of Memphis do not want term limits then the vote was just a vote. She stated the Commission is answering the call of those citizens that came to the meetings to voice their concerns, and those citizen will still have their say when its time to vote.

Commissioner Brooks noted that his vote has nothing to do with a personal vendetta against anyone. He stated that his vote has to do with feedback from his constituency and those individuals who attended the meetings.

Commissioner Brown made a motion to vote on staggered terms at their next meeting. The vote was seconded by Commissioner Brooks.

The Chairman called for the vote and the voting was as follows:

Willie Brooks,	Aye
George Brown Jr.	Aye
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Nay
Myron Lowery	Aye
Sharon Webb	Aye

With (6) Ayes and (1) Nay the motion to vote on staggered terms at the Commission's February 21th meeting was approved.

Ethics and Related Items

REPORT OF THE ATTORNEY: Attorney Ricky Wilkins discussed the Memphis and the Shelby County ethics ordinances. He suggested the Memphis ordinance be examined where it discuss the selection process for the Board of Ethics Committee. He noted that the individuals who are selected to serve on the Board will be appointed by the Mayor and approved by City Council. It was explained if the Commissioners are not in agreement with the current process and propose to voters an independent ethics committee to carryout the same function established under the current ordinance, that another process could be adopted. In closing, Mr. Wilkins asked the Commissioners to take into account the efforts taken in creating the existing ordinance.

Timetable for Charter Commission Business

Chairman Lowery distributed to the Board a letter from the Shelby County Election Commission which explained the deadline to place referendums on the ballot. He stated in order for a referendum to be placed on the August 7th ballot, information from the Charter Commission needs to be submitted before June 6, 2008. For the November general election ballot, the information should be submitted by September 5, 2008.

Attorney Ricky Wilkins stated that the Attorney General's opinion concerning placing the non-substantive revisions (charter clean-up) on the August 2008 ballot, and subsequently placing the additional substantive amendments proposal on the November 2008 ballot should be received soon.

New Business

Commissioner Brown made a motion to vote on establishing a Charter revision to restrict voting on quasi-governmental boards by City Council members. The motion was seconded by Commissioner Brooks.

The Chairman called for the vote and the voting was as follows:

Willie Brooks,	Aye
George Brown Jr.	Aye
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Absent
Myron Lowery	Aye
Sharon Webb	Aye

In addition to the vote, Chairman Lowery suggested that the Board deliberate on the matter in the near future and vote on this matter at the Commission's first meeting in March.

A discussion followed concerning the list of recommendations from the public pertaining to proposed changes to the City of Memphis Charter. Commissioner Brooks suggested they vote on and streamline the list of items under each of the major categories at the Commission's first meeting in March.

ADJOURNMENT: There being no further business, the meeting ended with a prayer. The next meeting of the Commission will be held on February 21, 2008 at 3:00 p.m.

The meeting was adjourned at 5:00 p.m.

Respectfully Submitted

Bridgett Handy-Clay